

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEW MEXICO

MARTIN MORENO,

Plaintiff,

v.

CIV. No. 14-997 JAP/GBW

CR. No. 12-694 JAP

UNITED STATES OF AMERICA,

Defendant.

ORDER DENYING MOTION FOR DISCOVERY

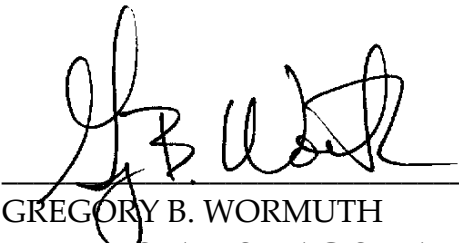
This matter is before the Court on Plaintiff's Motion for Discovery. *Doc. 10*.¹

Having reviewed the Motion, the Court finds that it should be DENIED AS MOOT.

Under Rule 6(a) of the Rules Governing § 2255 Proceedings, "[a] judge may, for good cause, authorize a party to conduct discovery" Plaintiff's Motion seeks copies of (1) the federal indictment, (2) the warrant, (3) the criminal complaint, (4) transcripts, and (5) the plea agreement. *Id.* Items (2) and (4) are attached as exhibits to Defendant's Response. *Doc. 9*, Exs. 2-3, 5. Items (1), (3), and (5) are available on the criminal docket of Plaintiff's case, *United States v. Moreno*, 1:12-cr-00694-JAP-1, as *doc. 88* (Plea Agreement), *doc. 1* (Complaint), *doc. 13* (Redacted Indictment), *doc. 48* (Redacted Superseding Indictment), & *doc. 78* (Second Superseding Indictment). Nonetheless, the Court has also attached the latter set of items to this Order as Exhibits 1–5.

¹ Represented on Plaintiff's criminal docket, *United States v. Moreno*, 1:12-cr-00694-JAP-1, as *doc. 107*.

As Plaintiff already has access to the documents he requests, IT IS HEREBY ORDERED that Plaintiff's Motion for Discovery, (*doc. 10*), is DENIED AS MOOT.



GREGORY B. WORMUTH
UNITED STATES MAGISTRATE JUDGE